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**UNITED STATES DISTRICT COURT  
NORTHERN CALIFORNIA OF CALIFORNIA**

NIKKI POOSHS,

Plaintiff,

vs.

PHILIP MORRIS USA, INC., et al.,

Defendants.

Case No. 4:04-cv-01221-PJH

**STIPULATION FOR DISMISSAL  
OF DEFENDANT LORILLARD, INC.,  
WITH PREJUDICE; ORDER**

**[FRCP 41(a)]**

Pursuant to Rule 41(a) of the Federal Rules of Civil Procedure, IT IS HEREBY  
STIPULATED by the affected parties, Plaintiff and Defendant, that all claims against  
Defendant LORILLARD, INC. shall be, and hereby are, dismissed with prejudice. Each party  
to bear its own fees and costs.

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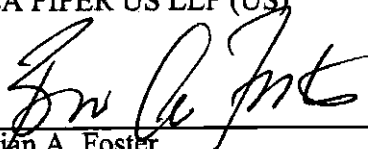
1 Dated: May 31, 2012

BRAYTON ♦ PURCELL LLP

2  
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8 Attorneys for Plaintiff

9 Dated: May 31, 2012

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10 By:   
11 Brian A. Foster  
12 Attorneys for Defendant  
13 LORILLARD, INC.

14 PURSUANT TO STIPULATION, IT IS SO ORDERED. All claims against  
15 Defendant LORILLARD, INC. are hereby dismissed with prejudice, each party to bear its own  
16 fees and costs, pursuant to Rule 41 of the Federal Rules of Civil Procedure.

17  
18  
19 June 14  
20 Dated: ~~May~~ \_\_\_\_\_, 2012

21 By: \_\_\_\_\_

